

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

FILED 21 FEB '19 11:48 USDC-ORP

District of Oregon

United States of America

v.

BRIAN SCOTT MURRAY

Case No. 3:19-mj-34

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 19, 2019 in the county of Multnomah in the
District of Oregon, the defendant(s) violated:

Code Section

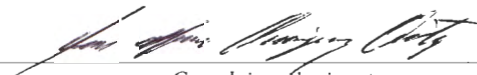
Offense Description

18 USC s 1361

Depredation of Government Property

This criminal complaint is based on these facts:

Attached Affidavit of Jesus Dominguez

☒ Continued on the attached sheet.


Complainant's signature

Jesus Dominguez

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/21/2019



Judge's signature

City and state: Portland, OR

Hon. Jolie A. Russo

Printed name and title

DISTRICT OF OREGON, ss: AFFIDAVIT OF JESUS A. DOMINGUEZ

Affidavit in Support of a Criminal Complaint and Arrest Warrant

I, Jesus Dominguez, being duly sworn, do hereby depose and state as follows:

Introduction and Agent Background

1. I am a Police Officer with Federal Protective Service (FPS) and have been since 2017. My current assignment is with Federal Protective Service Field Office in Portland, Oregon assigned to provide patrol and response and investigate general crimes. My training and experience includes graduating from the Federal Law Enforcement Training Center's Uniformed Police Training Program in January 2017. I have experience enforcing the Rules and Regulations of Title 41 CFR 102-74 including Title 41 CFR 102-74.380; Preservation of Property.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for BRIAN SCOTT MURRAY, for depredation of government property in violation of 18 U.S.C. § 1361. As set forth below, there is probable cause to believe, and I do believe, that MURRAY destroyed government property in violation of 18 U.S.C. § 1361

3. This affidavit is intended to show only that there is sufficient probable cause for the requested complaint and arrest warrant and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, interviews of witnesses, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

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Applicable Law

4. 18 U.S.C. § 1361, provides that whoever willfully injures or commits any depredation against any property of the United States, or of any department or agency thereof . . . shall be punished as follows . . . if the damage or attempted damage to such property does not exceed the sum of \$1,000 by a fine under this title or by imprisonment for not more than one year, or both.

Statement of Probable Cause

5. On February 19, 2019, at approximately 1350, BRIAN SCOTT MURRAY came to the Hatfield Courthouse, 1000 SW 3rd Ave., Portland, OR, to turn himself in for breaking government property. I gave MURRAY a *Miranda* advisement and he told me he understood his rights and was willing to talk. I asked him what happened and he told me that on the night of February 18, or early morning February 19, 2019, he broke a window at the Solomon Courthouse, 620 SW Main Street, Portland, OR. In fact, there was a glass door window shattered that morning at the Solomon Courthouse.

6. MURRAY then claimed that he broke a window from a US Post Office van. I asked MURRAY how he knew it was a post office van and he replied “it had a bird on it.” I followed up with Karla D. Sykes USPS. Sykes told me that, in fact one of their USPS van windows were shattered while parked in front of their office at 101 SW Madison St., Portland, OR, on February 19, 2019, at approximately 0615. The USPS van had the eagle emblem on the front door.

7. MURRAY then told me that he broke a vehicle bubble mirror behind the Hatfield Courthouse. The Courthouse in fact had a garage entrance dome mirror broken out. It appeared


that someone had broken the mirror with a rock. The Protective Security Officers for the building reported the incident occurred on 02/19/2019 sometime between 0115-0230 hours.

8. MURRAY told me several times he wanted to be jailed. MURRAY also stated “if I don’t go to jail, I’ll commit more crimes.”

Conclusion

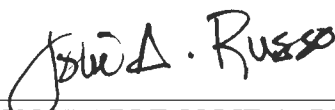
9. Based on the foregoing, I have probable cause to believe, and I do believe, that BRIAN SCOTT MURRAY committed the federal crime of depredation of government property in violation of 18 U.S.C. § 1361. I therefore request that the Court issue a criminal complaint and arrest warrant for BRIAN SCOTT MURRAY.

14. Prior to being submitted to the Court, this affidavit, the accompanying application, and the requested search warrant were all reviewed by Assistant United States Attorney (AUSA) Benjamin Tol koff, and AUSA Tol koff advised me that in his opinion the affidavit and application are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.



Jesus Dominguez

Subscribed and sworn to before me this 21st day of February 2019.



HONORABLE JOLIE A. RUSSO
United States Magistrate Judge